

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WILD FISH CONSERVANCY,

Plaintiff,

v.

BARRY THOM, et al.,

Defendant,

and

ALASKA TROLLERS
ASSOCIATION,

Defendant-Intervenor.

Case No. C20-417-RAJ-MLP

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Hon. Michelle L. Peterson, United States Magistrate Judge:

On May 1, 2020, Defendants' counsel notified the Court's Deputy Clerk that this matter was exempt from the Court's Order regarding Initial Disclosures, Joint Status Report, and Early Settlement (dkt. # 16). Defendants' counsel indicated that this matter is exempt from the requirements of Federal Rule of Civil Procedure 26(a) and Federal Rule of Civil Procedure 26(f) as "an action for review on an administrative record." Fed. R. Civ. P. 26(a)(1)(B)(i).

1 On May 5, 2020, Plaintiff's counsel responded that Plaintiff's first claim for relief of its
2 Complaint is not an action for review on an administrative record because that claim presents a
3 citizen suit alleged under the Endangered Species Act. (Dkt. # 1 at 27.) However, Plaintiff's
4 counsel anticipated that the administrative record prepared for Plaintiff's second claim for relief
5 would be sufficient for judicial review of the first claim. (*See Id.* at 28.) Plaintiff's counsel
6 additionally indicated that Plaintiff is prepared to stipulate to such review and prepared to confer
7 with Defendants and submit a joint status report stating the parties' respective positions on the
8 issue, outlining any stipulations for judicial review.

9 Accordingly, the Court ORDERS that the parties confer and formally submit their
10 respective positions concerning any exemption to the Court's Order regarding Initial Disclosures,
11 Joint Status Report, and Early Settlement (dkt. # 16) by May 11, 2020.

12 Dated this 5th day of May, 2020.

13 William M. McCool
14 Clerk of Court

15 By: Tim Farrell
16 Deputy Clerk
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